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06   UNITED STATES DISTRICT COURT
             WESTERN DISTRICT OF WASHINGTON
07   AT SEATTLE

08 UNITED STATES OF AMERICA,   )   CASE NO. CR00-003-RSL
)
09   Plaintiff,   )
)
10   v.   )   SUMMARY REPORT OF U.S.
)   MAGISTRATE JUDGE AS TO
11 ROBERT NORMAN MYERS,   )   ALLEGED VIOLATIONS
)   OF SUPERVISED RELEASE
12   Defendant.   )
    _____   )

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14   A hearing on supervised release revocation in this case was scheduled before me on August

15 20, 2007. The United States was represented by AUSA Helen J. Brunner and the defendant by

16 Ralph Hurvitz. The proceedings were digitally recorded.

17   Defendant had been sentenced on or about June 2, 2000 by the Honorable Robert S.

18 Lasnik on a charge of Escape, and sentenced to 7 months custody, 3 years supervised release.

19   The conditions of supervised release included the standard conditions plus the requirements

20 that defendant be prohibited from possessing any firearms, submit to search, participate in drug

21 treatment, abstain from alcohol, and participate in a mental health program. (Dkt. 20, page 4.)

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SUMMARY REPORT OF U.S. MAGISTRATE JUDGE AS
TO ALLEGED VIOLATIONS OF SUPERVISED RELEASE
PAGE -1

01   On July 25, 2003, defendant admitted to violating the conditions of supervision by using

02 cocaine. (Dkt. 25.) Defendant was remanded to custody for eight months. Supervised release of

03 2 years was imposed on the original conditions, plus home confinement with electronic monitoring

04 for four months. (Dkt. 36.)

05   On August 27, 2004, defendant admitted to violating the conditions of supervision by

06 failing to report to his probation officer, being in possession of a narcotic pipe, providing false

07 information to a peace officer, using cocaine, and failing to participate in drug testing. (Dkt. 41.)

08 Defendant was sentenced to 8 months in custody followed by 1 year supervised release, with the

09 original conditions plus the requirement that defendant be allowed to participate in a community

10 corrections center program for up to 120 days, at the option of the defendant. (Dkt. 44.)

11   On September 7, 2005, defendant admitted to violating the conditions of supervised release

12 by failing to submit a truthful monthly report, failing to report to his probation officer, failing to

13 timely report a change in employment and residence, and failing to report for drug testing.

14 Defendant was sentenced to 3 months in custody followed by 1 year supervised release, requiring

15 community correction center residence for up to 120 days. (Dkt. 55.)

16   In an application dated December 27, 2005 (Dkt. 56), U.S. Probation Officer Michael J.

17 Larson alleged the following violation of the conditions of supervised release:

18   1.   Failing to participate and successfully complete up to a 120 day placement at the

19 community corrections center by absconding from the program on or about December 24, 2005,

20 in violation of the special condition requiring his participation in such a program.

21   In an application dated August 14, 2007 (Dkt. 62), U.S. Probation Officer Michael J.

22 Larson alleged the following additional violation of the conditions of supervised release:

SUMMARY REPORT OF U.S. MAGISTRATE JUDGE AS
TO ALLEGED VIOLATIONS OF SUPERVISED RELEASE
PAGE -2

01   2.   Committing the crime of Bank Robbery on or about October 10, 2006, in violation

02   of 18 U.S.C. § 2113 (a) and the general condition requiring he not commit another federal, state

03   or local crime.

04   Defendant was advised in full as to those charges and as to his constitutional rights.

05   Defendant admitted the alleged violations and waived any evidentiary hearing as to

06   whether they occurred. (Dkt. 64.)

07   I therefore recommend the Court find defendant violated his supervised release as alleged,

08   and that the Court conduct a hearing limited to the issue of disposition.   The next hearing will be

09   set before Judge Lasnik.

10   Pending a final determination by the Court, defendant has been detained.

11   DATED this 20th day of August, 2007.

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13   Mary Alice Theiler
                                                United States Magistrate Judge
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16   cc: District Judge: Honorable Robert S. Lasnik
           AUSA: Helen J. Brunner
           Defendant's attorney: Ralph Hurvitz
17   Probation officer: Michael J. Larson

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SUMMARY REPORT OF U.S. MAGISTRATE JUDGE AS
TO ALLEGED VIOLATIONS OF SUPERVISED RELEASE
PAGE -3